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1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: David KLUG et al.

Application No.: 09/837,234

Group Art Unit: 1761

Filed: April 18, 2001

Examiner: T. Tran Lien

For: SUGAR WAFER WITH
CONFECTIONERY FILLING

Attorney Docket No.: 88265-4026

6R/KW
12B161AMENDMENT

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
DEC 17 2001
TC 1700

Sir:

In response to the office action mailed October 1, 2001, Applicants submit the following amendments and remarks for entry into the above-identified application.

IN THE CLAIMS

Cancel claim 2.

Claims 1, 5, 8 and 9 are amended to read as follows:

sub c/s
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1. A food product comprising a sugar wafer cone having a filling of a substantially water-free based confectionery material that has solidified in the sugar wafer from a molten, semi-liquid, or semi-solid state prior to consumption, so that the cone acts as a handle to keep a user's hands clean during eating of the product and the product combines the pleasure and fun of eating an ice cream cone with the indulgence of a fat-based confection.

3. A food product according to claim 1, wherein the food product has a weight of between about 5 and 40 g and is bite-sized or a 2-3 bite sized piece.

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5. A food product according to claim 1, wherein the filling comprises dark chocolate, milk chocolate or white chocolate, or any mixture thereof or products derived from sugar with or without milk derived components, or fat and solids from vegetable or cocoa sources, chocolate substitutes containing direct cocoa butter replacements, or stearines,